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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,180	03/31/2000	Sung-Hwa Gong	678-458 (P8993)	2621
7590	04/05/2006		EXAMINER	
Paul J Farrell Dilworth & Barrese 333 Earle Ovington Boulevard Uniondale, NY 11553			ORGAD, EDAN	
			ART UNIT	PAPER NUMBER
			2618	
DATE MAILED: 04/05/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/540,180

Applicant(s)

GONG, SUNG-HWA

Examiner

Edan Orgad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 1/23/06
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 40-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 40-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 1/23/06 have been fully considered but they are not persuasive.

Regarding applicant's argument, examiner respectfully disagrees. Applicant argues the prior art fails to disclose "wherein the at least one of digits and characters are input by displaying sets of the at least one of digits and characters, moving a cursor over at least one of a character and a digit displayed in the sets of the at least one of digits and characters, and selecting the at least one of the characters and the digit below the cursor, using the at least one signal of the multi-function key." The claim limitation fails to define "sets", what is/are "sets". Applicant specification provides no explanation to what are sets. By mere interpretation, "at least one of digits and characters are input by displaying sets" implies that one set could be one character or one digit. Therefore, Tso teachings of the multiple input key 65A with associated labels/letters B, C, A, D, and F, further teaching that when pressure is applied to the top surface of the key, the pivot contact pad contacts the leads on the printed circuit board and a circuit is closed. The contact of the pivot contact pad with the leads causes the display coupled with the input device to display the set of characters associated with the key, for example, the letters "BCADF". One of the letters such as "A" is displayed in a manner to make the letter "stand out" from the other characters such as highlighting the character or a cursor pointing to the character. In other words, the letter A is one set. Applicant is reminded that although the claims are read in light of specifications, limitations from the specification are not read into claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 40 - 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. (US Patent 5,966,671) in view of Seymour (US Patent No. 6,529,713) and in further view of Griffin et al. (US Patent No. 6,873,317) and further in view of Tso et al (US Patent No. 6,157,323).

Regarding claim 40, Mitchell teaches of a method for using a multi-function key with a protrusion adapted to slide in a first direction and a second direction substantially opposite to the first direction, and be pressed in a third direction substantially perpendicular to the first direction (as seen in Figure 3 and column 3, lines 8 - 25), a display for displaying at least one of digits and characters, as seen in Figure 2 and column 2, lines 55 - 65) and at least one hierarchal menu for selecting various functions (column 2, lines 18 - 30), comprising the steps of generating at least one input signal by performing at least one of the following multi function key manipulations: a) pressing the protrusion of the multi-function key at least once; b) sliding the protrusion of the multi-function key in the first direction; and c) sliding the protrusion of the multi-function key in the second direction (as seen in Figure 3 and starting column 2, line 66 and ending column 3, line 25 and column 2, lines 1 - 12).

Mitchell does not specifically teach of in a watch-type portable phone or the watch-type

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portable phone having the multi-function key (though it should be noted that Mitchell's invention deals with reduction of size of the mobile through the use of a smart button as detailed in, for example, starting column 1, line 66 and ending column 2, line 12) or of wherein the at least one input signal is used to input the at least digits and characters (though it should be noted that Mitchell does provide for provisions for editing via criteria, as seen in table 2, lines 29 -33). In a related art dealing with the carrying of small mobile, Seymour teaches of a watch-type portable phone or the watch-type portable phone (column 1, lines 5 - 14 and Figures 1 - 6).

It would have been obvious to one skilled in the art at the time of invention to have included into Mitchell's multi-function smart button, Seymour's wearable wrist watch configuration, for the purposes of carrying the reduced size mobile and conveniently using the mobile in such a position, as taught by Seymour.

Mitchell in view of Seymour do not specifically teach of wherein the at least one input signal is used to input the at least digits and characters.

In a related art dealing with a method to input characters in a mobile using one input device, Griffin teaches of wherein the at least one input signal is used to input the at least digits and characters (figure 2, element 1000 & column 5, lines 21-57, specifically, thumb wheel 1000 as described in column 5, lines 30-35, 45-57).

It would have been obvious to one skilled in the art at the time of invention to have included into Mitchell and Seymour's wearable mobile with multifunction system, Griffin's inputting methods, for the purposes of realizing an input device which can manage with less mounting space, as taught by Griffin.

However, Griffin fails to specifically disclose the multifunction thumb wheel as capable of entering at least one of digits and characters which are input by displaying sets of the at least one of digits and characters, moving a cursor over at least one of a character and a digit displayed in the sets of the at least one of digits and characters, and selecting the at least one of the character and the digit below the cursor, using the at least one signal of the multi-function key. However, in related art of multi-function keys and data entry, Tso teaches manipulation of a multi function key of a portable device using the key the enter data by at least one of digits and characters which are input by displaying sets of the at least one of digits and characters, moving a cursor over at least one of a character and a digit displayed in the sets of the at least one of digits and characters, and selecting the at least one of the character and the digit below the cursor (see Tso, figure 9 and col. 14, line 61- col. 15, line 29 & figure 16 and col. 20, lines 17-26).

It would have been obvious to one skilled in the art at the time of invention to have included into Mitchell and Seymour's wearable mobile with multifunction system as modified by, Griffin's and further utilize Tso's multi function key inputting methods, for the purposes of realizing an input device which can manage with less mounting space and numerous text strings entering abilities that are more user friendly, as taught by Tso.

Regarding claim 41, Mitchell in view of Seymour, Griffin and Tso fail to specifically disclose wherein a first inputting is performed if the manipulation is performed for a short duration and a second inputting is performed if the manipulation is performed for a long duration. However, official notice is taken that it is well known in the art to have a first inputting is performed if the manipulation is performed for a short duration and a second inputting is

performed if the manipulation is performed for a long duration as part of a thumb/wheel (as evident by Kunihiro, US Patent No. 5,915,228, column 3, lines 41-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a first inputting is performed if the manipulation is performed for a short duration and a second inputting is performed if the manipulation is performed for a long duration with Mitchell's invention in order to provide the user with a timed judging procedure mode for inputting letters and characters.

Regarding claim 42, Mitchell further teaches of wherein the at least one input signal is further used to navigate through the at least one hierarchal menu (column 2, lines 18 -30).

Regarding claim 43, Mitchell further teaches of wherein the at least one input signal is further used to select a function (column 2, lines 18 -30).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 571-272-7884. The examiner can normally be reached on 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edan Orgad

E.O. 3/26/8

Primary Patent Examiner
Telecommunications.